

§ 133.36

have been certified by official marking to be spaces for the vessel's own fuel).

[54 FR 35148, Aug. 23, 1989; 54 FR 36096, Aug. 31, 1989]

§ 133.36 Tolls for vessels making partial transit and return.

Vessels passing through the locks at either end of the Panama Canal and returning to the original point of entry without passing through the locks at the other end of the Canal, shall pay the tolls prescribed for a single passage through the Canal. In case such vessels carry cargo or passengers either in passing or returning through the locks, the rate of tolls on laden vessels shall apply.

§ 133.37 Partial transits by small vessels.

Section 133.36 shall not be interpreted as authorizing vessels less than 65 feet in length, or barges, or rafts of any size not on regular transit schedules and not paying tolls, to navigate the waters of any locks, or of Gaillard Cut to or from Gatun Lake in partial transit of the Canal; specific authority of the Administrator must be obtained through the Marine Director for each such partial transit.

[46 FR 63194, Dec. 30, 1981]

Subpart C—Payment of Tolls and Other Vessel Charges

§ 133.71 Time of making payment.

(a) Payment of tolls in full shall be made, or secured as provided by § 133.74, before a vessel is permitted to enter a lock.

(b) All vessel charges shall be paid, or secured as provided by § 133.74, before permission to depart is given a vessel at the port of departure from the Canal: *Provided, however,* That in cases involving emergency or other special circumstances, the requirement of this paragraph may be waived by the Administrator of the Panama Canal Commission.

[31 FR 12326, Sept. 16, 1966, as amended at 46 FR 63194, Dec. 30, 1981]

35 CFR Ch. I (7–1–97 Edition)

§ 133.72 Same; exception; vessels operated by the United States.

Section 133.71 shall not apply to vessels operated by the Government of the United States; and bills for tolls, where applicable, and for other charges against such vessels, shall be settled as are other obligations between agencies of the Federal Government.

§ 133.73 Payment to be in cash.

All payments for tolls and other charges shall be made in cash, in lawful money of the United States, except as provided in by § 133.74.

§ 133.74 Same; exception; payment secured by deposit of cash or bonds.

(a) The payment of tolls and vessel charges may be secured by making cash deposits for that purpose with the Treasurer of the Panama Canal Commission or such United States depository as may be designated by the Panama Canal Commission.

(b) In lieu of payment in cash or a cash deposit, the payment of tolls and vessel charges may be secured by making deposits, pursuant to written agreement with the Panama Canal Commission, of negotiable bonds of the United States Treasury Department as collateral security for the deposit of public moneys. Such bonds shall be under the full control of the Panama Canal Commission; shall be deposited with the Treasurer of the Panama Canal Commission or such United States depository as may be designated by the Panama Canal Commission and shall be subject to sale or other disposition by the Panama Canal Commission upon any failure in prompt payment of any bill for tolls or vessel charges for which the said bonds are deposited as security.

[46 FR 63194, Dec. 30, 1981]

§ 133.75 To whom payment is to be made.

Payment for tolls and vessel charges shall be made to the Treasurer, Panama Canal Commission.

[46 FR 63195, Dec. 30, 1981]

PART 135—RULES FOR MEASUREMENT OF VESSELS

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AUTHORITY: 22 U.S.C. 3791–3792, 3794.

SOURCE: 59 FR 43255, Aug. 22, 1994, unless otherwise noted.

Subpart A—General Provisions

§ 135.1 Scope.

This part establishes the procedures for determining the Panama Canal Universal Measurement System (hereinafter PC/UMS) Net Tonnage. The tonnage shall be used to assess tolls for use of the Panama Canal. Also, the tonnage may be used, when adequate volume information is not provided, to assess the charge for admeasurement services.

§ 135.2 Vessels generally to present tonnage certificate or be measured.

All vessels except warships, floating drydocks, dredges, and vessels subject to transitional relief measures, applying for passage through the Panama Canal shall present a duly authenticated International Tonnage Certificate (1969) (hereinafter ITC 69), or suitable substitute (i.e., a certificate derived from a system which is substantially similar to that which was provided for in the 1969 International Convention on Tonnage Measurement of Ships, and which contains the total volume or allows for the direct mathematical determination of total volume). Vessels without such total volume information shall be inspected by Canal authorities who shall determine an appropriate volume for use in the calculation of a PC/UMS Net Tonnage of such vessels. In addition, these same vessels shall provide documentation, such as plans and classification certificates, with sufficient information to determine the volume of the maximum capacity of containers that may be carried on or above the upper deck, or VMC as defined in section 135.13(a)(11).

(Approved by the Office of Management and Budget (OMB) control number 3207–0001)

[59 FR 43255, Aug. 22, 1994, as amended at 61 FR 60612, Nov. 29, 1996]

§ 135.3 Determination of total volume and VMC.

(a) Determination of total volume and VMC used to calculate PC/UMS Net Tonnage shall be carried out by the Panama Canal Commission. In so doing, however, the Commission may rely upon total volume and VMC information provided by such officials as are authorized by national governments to undertake surveys and issue national tonnage certificates. Total volume and VMC information presented to the Commission shall be subject to verification, and if necessary, correction as necessary to ensure accuracy to a degree acceptable to the Commission.

(b) The Commission may, when it is deemed necessary to verify information contained on the ITC 69, require the submission of additional documents. Failure to submit the requested